G. R. S. IX-5]

Previous references.

Reserve
1918.
(Cts)

File No. 48-18

Serial Nos. 1-15

Later references.
Ch. 193-20(1-4)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. ~~fifteen~~

Part B for ~~July~~ 1920.

SUBJECT.

Jurisdiction to try a case of theft in Bangalore city by Sheik Ismail, a sepoy of the 79th Regiment.

Sl 15) To, The I. A. Reinent.
pol No 685 D 21-1-

States that the D.M. Bangalore has been requested to hand over Sheik Ismail to the officer Commanding 79th Carnatic Infantry with necessary records.

W D 1250—GPB—30,000 28-1-19

28/2/20.

G. R. S. III—1] 1918-19

GENERAL AND REVENUE SECRETARIAT.

(65)

NOTES.

File No. 48-18

FILE HEADING.

Jurisdiction to try a case of theft in Bangalore city by Sheik Ismail, a Sepoy of the 79th Regiment

From

The Dt Magistrate, Bangalore Dt

No. 105 Dated 5th Aug 18 Received 10 Aug 18

Diary No. 2537	Enclos. 4 & 1 Spare Copies.	Serial No. 1.

BRIEF ABSTRACT OF LETTER.

Forwards record in Police charge Sheet case No. 53 of 18-19 & requests orders of Govt. for trial of accused Sheik Ismail since he is a Sepoy of the 79th Regiment

NOTES AND ORDERS.

Srlnd with a draft to the Residency

8/8 10/8 — The charge sheet is in Kanarese. How could he read? make it out? Should there be no translation? The District Magistrate's letter is not full. BSD

Draft to Dt. Magte. Srlnd 8/8 13/8. Gus 20/8/18 Joshy BSD

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-15

G. R. S. III-2)

General and Revenue Secretariat.

Cr File No. 48 of 1918.

Serial No. 2

To The D.C. Bangalore
No. G. 3707 Dt. 19-8-18.
Requests to resubmit the record with English translation of the charge sheet and also a full report of the facts of the case.

3

From, The D. M. Bangalore
No. Jr. C 105/18-19 Dt. 23-9-18

Resubmits record in C.C. No. 53 of 18-19 on the file of the City Magistrate, Bangalore as the accused Sheik Ismail is a Sepoy bearing No. 4698 in 79th Regiment, Bangalore.

The accused is reported to have been found by the complainant near the market in Contonement and produced before the Police. The charge sheet has been drawn before the City Magistrate. The accused is reported to be a Sepoy of the 79th Company hence jurisdiction to try him would have to be specially conceded by the Resy. Draft to the Resy to put up. Submd. for orders.

25/9

21/9

Done 28 5/10

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | Cls File No. 48 of 1918.

Serial No.	
4	To, The F.A. Resident Pol 376 dt 9-10-18 Requests to inform if there is any objection for the accused being tried by the Durbar Court.
	Sms A. 10/10/18
5	From, The F.A. Resident No 7290 dt 21-10-18 States that it is not clear to what unit the accused belongs and requests that correct information on the point may kindly be furnished Subd with a draft to the Dy Registrar calling for correct information about the unit to which the accused belongs. SG 5/11 Dsgnd SG 5/11
6	To, The D.M. Bangalore No 98363 dt 11-11-18 Requests to furnish Correct information as to what unit Sheik Ismail, the accused belongs.

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | C15 File No. 48 of 1918

Serial No.	
7.	From the Dt. magistrate Bangalore No. J.C 105/18-19 dy 2-12-18. States that the accused bears No. 4688 in the 79th Carnatic Infantry & requests sanction for the trial of the accused by the State Court. The report of the Police in Kannada & draft to the Dt. magte is put up returning the records for being retransmitted with the English translation of the Police Report. Submd for orders. 8/12/18 4/12
8.	To the Dist magt Bangalore G10689 dated 6-12-1918 Returns the records for being resubmitted with the English translation of Police Report.
9.	From the Dist magte Bangalore ~~G 10689~~ 105/18-19 dy 12-12-18 Resubmits the records with the English translations of Police Reports & the Vernacular Rp

Encl A
11/12

PROTECTION BRANCH. 17 DEC 1918

NOTE.—Contn. sheet.

WD A 1789—GPB—60,000—20-3-19—S.

G. R. S. III-2]

General and Revenue Secretariat. | CS File No. 48 of 1918.

Serial No.	
	Subd with a draft to the Resy Issue SG 21/12 SMH 23-12-18
10	To The F. A. Resident Pol 617 of 28-12-18 Requests permission for the trial of the accused by the Durbar Court
	from
11	The F. A. Resident No 141 of 8 Jan 19 States that the Hon'ble Resident sees no special reason for meeting the Durbar's wishes and forwards the enclosures Subd with a draft to the D. in Bangalore intimating that the Sepoy will be tried by Court Martial SG 15/1/19 Issue SMH 15-1-19
12	

Sub A SG

PROTECTION BRANCH. 6 JAN 1919

NOTE—Contn. sheet.

WD A 1769—GPB—60,000—20-3-18—S.

G. R. S. III-2j

General and Revenue Secretariat.

C6 File No. 48 of 1919.

Serial No.	
	To The D.M. Bhore
12	G 14609 of 16-1-19
	States that the Sepoy will be tried by Court Martial and returns the enclosures.
13	From the J.A. Resident
	No. 305 dated 16-1-1919
	Requests that arrangements may be made to hand over the sepoy to the Officer Commanding, 79th C.I. together with the necessary documents. Encls. with a draft to the Dt. Magistrate Bhore asking him to take necessary action. Draft to the Resy intimating the same is also put up.
	86 20/1/19. Issue 20.1.19
14	To The D.M. Bhore
	G 14959 21-1-19
	Request to make arrangements for handing over the accused to the Officer Commanding

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | 45 File No. 68 of 1918.

Serial No.	
15	To The F A Resident PS 688 21-1-19 Stated that Mr Dr has been requested to take necessary action in this matter (Sheikh Ismail)

21 JAN

B 1612

PROTECTION BRANCH. 19FEB 1920

NOTE—Contn. sheet.

WD A 1789—GPB—60,000—9

G. R. S. V1—G/32]

SUBJECT.....

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.....

Diary No. of letter replied to.....

Section C.S.
File No. 48-18
Serial No. 2

GENERAL AND REVENUE SECRETARIAT
( )
, *the* 191 .

No. 3707 Cubbill Lr letter

Date of issue 19.8.18

Signed by Mr DGS Secr

To

The Dt Magistrate
Bangalore Dt

Sir, In returning herewith your letter no 105 Q 5-8-18 with its enclosures, I am directed to point out that your letter does not ~~contain~~ give the details of the case and that the charge sheet is in Kanarese.

I am to request you to be so good as to resubmit the records with an English

over.

8/8/18

translation of the charge sheet and also a full report of the facts of the case.

I have etc.

13/8/18

For Chief Secy.

8Gr
13/8.
GG
13/8

List of enclosures.

Copied by

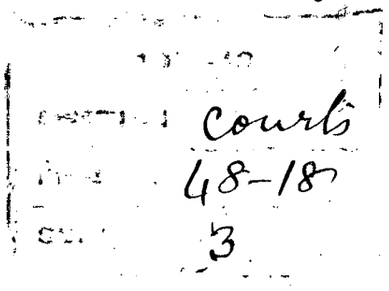
Examined by

W D86—GPB—60,000—15-11-16

U R G E N T.

Office of the District Magistrate,
Bangalore District,
Dated, Bangalore 20th September 1918.

No. 4878.



From

T. Chokkanna, Esq., B.A.,
District Magistrate,
Bangalore District.

To

C.S. Balasundram Iyer, Esq., B.A.,
Chief Secretary to the Government of His
Highness the Maharaja of Mysore, Bangalore.

Sir,

With reference to your letter No.G.3707/Cts. 48-18-2 dated 19th August 1918 returning the records in Criminal Case No.53 of 18-19 on the file of the City Magistrate, Bangalore (Accused Sheik Ismail, Sepoy No. 4698 of 9th Company) and requesting me to retransmit the same with an English translation of the charge sheet etc., I have the honour to resubmit the records as desired and to state that the facts of the case are briefly as follows:--

2. On the evening of the 15th July 1918 the complainant, Mahomed Hafeez Shariff alias Kalifa complained to the Officer in charge of the Chamarajapet Police Station, Bangalore City, alleging that the accused, Sheik Ismail, went to him that day noon and asked him to get an admission in the Military Department. He (the complainant) fed him with bread etc., left him in his house and went out. On returning the complainant found the accused missing and also two blankets.

From The Dt: Magistrate
. Bangalore District

To The Chief Secretary
to the Government of
His Highness the
Maharaja of Mysore

Dated 20 9 18

Despatched 23-9-18.

Received

General No. J.C. 105 18.19

No.

Enclosure No. 1 File.

Re-Sir Limits record in
C. C. no: 53 of 18.19 on the
file of the City Magistrate
Bangalore - as the accused
Sheik Ismail is a sepoy
bearing no: 4698 in 79th
Regiment - Bangalore.

On a search made by the complainant, the accused was found near the Contonment Market and was taken to the Police. On examining the witnesses noted in column 6 of the Police Charge Sheet, the accused was found to have committed the offence of theft in a building falling under section 380 of the Indian Penal Code and hence this charge.

3. As under Notification No. J.1598/Cts. 75-06-2 dated 11th December 1906, orders of Government are necessary before the offender can be tried by the State Court, I request that you will be so good as to obtain the orders of Government in the matter and return the records when done with.

I have the honour to be,

Sir,

Your most obedient servant,

District Magistrate,
Bangalore District.

D.V.R.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* , *191* .

Date of issue 9.10.18

Signed by Sd/ G. Srinivasa Ayyar

Section C5
File No. 48-18
Serial No. 4

P.D No. 376 Exam file

To

The F. A. Resident-

Sir,

I am directed to invite kind reference to your office letter No. 2627 dt. 11th. may, 1905 regarding the jurisdiction of civil courts in Native States over Native Officers and Soldiers of The Indian Army, and to forward herewith a copy of letter No. J.C 105/18-19 dt. 23-9-18

over.

Sd/

together with the enclosures x (to be obligingly
Charge Sheet proceed before returned when no longer
required)
the City Magistrate,
Bangalore charging one
Sheik Ismail, & Sepoy No. 4698
of The 79th Company,
with the offence of Theft
in a building, punishable under Section
380 I.P.C.

2. I am to request that,
if there be no objection,
permission may kindly
be accorded for the accused
~~person~~ being tried by
the Durbar Court having
local jurisdiction.

3. The other papers
connected with the case
are also enclosed for
reference and kind return.

I have etc.

List of enclosure
One copy of letter and
one file.
9/10/18

Copied by

Examined by

for Chief Secy.

WD 86—GPB—60,000—15-11 16

86/
25/9.
25/9

R. O. 2.—R. P. B.—9-1918.—500.

No. 7290.
Encl. one file
Diary No. 9538.

From

Major E. H. S. JAMES,
First Assistant to the Resident in Mysore.

Courts
48-18
5

Courts.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 21st October 1918.

Sir,

With reference to your letter No. 376, dated the 9th October 1918, asking for permission to try sepoy Sheik Ismail for an offence under Section 380, Indian Penal Code, I am directed to state that it is not clear to what unit the accused belongs. In your letter under reference it is stated that he belongs to the 79th Company but in the District Magistrate's letter it is stated that he belongs to the 9th Company. Neither appears to be correct. I am to request that correct information on this point may kindly be furnished.

2. The original enclosures to your letter are returned.

I have the honour to be,
Sir,
Your most obedient servant,

EHS James

First Assistant Resident.

BJ

G. R. S. V1—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to .. ..

GENERAL AND REVENUE SECRETARIAT

( )

, the *191* :

Date of issue 11.11.18

Signed by W. G. S [illegible]

Section Ch
File No. 48-18
Serial No. 6

No. 8363
one file

The D.C. Magistrate
Bangalore.

Sir,

With reference to your letter No J.C 105 of 18-19 D 20th Sept 1918 requesting sanction of Govt to try one Sheik Ismail, a Sepoy of the Indian army, I am directed to state that it is not clear

over.

8/11

to what unit the accused belongs. It is stated in your letter under reply that he belongs to the 9th Company, whereas it is stated in the charge sheet that he belongs to the 7th Company. It is reported by the Residency that neither seems to be correct.

I am to request therefore, that correct information on this point may be furnished early.

The enclosures to your letter are herewith returned.

I have etc.

List of enclosures.

Copied by

Examined by

5/11

W.P.&C.—GRB—60,000—15-11-16

For Chief Secy.

8/7
5/11.

U R G E N T.

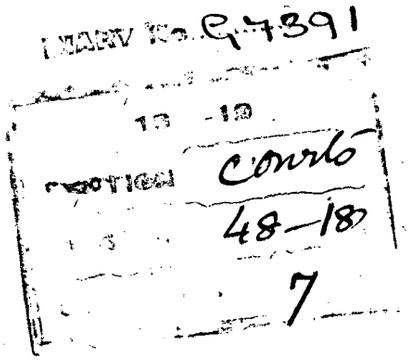
Office of the District Magistrate,
Bangalore District.

Dated Bangalore, 2nd December'18.

No.....

From

P.F.Bowring, Esq.,
District Magistrate,
Bangalore District.



To

C.S.Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of His Highness
the Maharaja of Mysore, Bangalore.

Sir,

Adverting to your letter No.G.8363/Cts.48-18-6 dated 11th November 1918 returning the records in criminal case No.53 of 1918-19 on the file of the City Magistrate, Bangalore, for certain particulars, I have the honor to state that the City Magistrate, Bangalore, who was addressed in the matter has forwarded the report of the Police, from which it will be seen that as the accused(Sheik Ismail) was a sepoy bearing No.4698 in 79th Carnatic Infantry, he was taken charge of by Syid Hussein, Havaldar No.1098 on 21st July 1918.

2. I therefore request that you will be so good as to obtain Government sanction to try the accused by the State court as -- desired in my letter No.J.C.105 of 1918-19 dated 20th September 1918 on the subject.

I have the honor to be,
Sir,
Your most obedient servant.

District Magistrate,
Bangalore District.

L.S.R.
1.

W.D. 0244—GPB—6,00,000—19-5-16—S.

191 8

From

16419 Dt: Magistrate
Bangalore district.

To The Chief Secretary
to the Government of
Mysore, Bangalore.

Dated 2-12-18.
Despatched
Received

~~General~~ No. 16105
No. 18-19

Enclosure No. 1 File

Re submits records
in c.c. no: 53 of 18-19
on the file of the City
magistrate Bangalore
(accused - Sepoy Sheik -
Ismail) with the
required particulars.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue 6/12/18

Signed by for E.S. Dyer.

Section C5
File No. 48-18
Serial No. 8

No. G. 10689 / records regd in Dy.

To

The Dy. Magistrate
Bangalore

Sir,

With reference to your letter No. J. C 105 of 2-12-1918 resubmitting the records with the particulars about the unit to which the accused belongs, I am directed to return the records for being resubmitted with the English

over.

See translation of the Police Report mentioned in the your letter under reply

I have etc.

for Chief Secy.

867
4/12

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11-16

Office of the District Magistrate,
Bangalore District.

No.... 17933 Dated Bangalore, 12th December'18.

From

P.F.Bowring, Esq.,
District Magistrate,
Bangalore District.

To

C.S.Balasundaram Iyer, Esq., B.A.,
Chief Secretary to the Government of His Highness
the Majaraja of Mysore, Bangalore.

Sir,

Adverting to your letter No.G.10689/Cts.48-18-8 dated 6th December 1918, returning the records in criminal case No.53 of 1918-19 on the file of the City Magistrate, Bangalore(accused Sepoy Sheik Ismail)and requesting me to resubmit the same with the English Translation of the Police report about the unit to which the accused belongs, I have the honor to forward herewith an English translation of an order(No.996 dated 16th November 1918)issued by the City Magistrate to the Inspector of Police, Bangalore City, on the subject, together with the English translation of the Police report thereon as desired in the above.

2. The Vernacular report is also enclosed herein for reference.

I have the honor to be,
Sir,
Your most obedient servant.

District Magistrate,
Bangalore District.

L.S.R.
1.

WD 0463—GPB—3.00.000—21-7-17—S.

191

From The Dt: magistrate Bangalore District.

To The Chief Secretary to the Government of His Highness the maharaja of Mysore.

Dated 12-12-18.

Despatched

Received

General No.

No.

Enclosure No. 1 File & 3 Other enclosures.

Re forwards herewith the record in c.c. No: 53 of 18.19 on the file of the City magistrate Bangalore together with the English translation of the Police report re- the unit to which the accused (Shaik Ismail) belongs.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section C5
File No. 48-18
Serial No. 10

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191 .

Pol. No. 617 & 1 file.

Date of issue 28-12-1918

Signed by for C. S. Balasundaram Iyer

To

The J. A. Recruiting

Sir,

Advertising to your letter No. 7290 of 21-10-1918 returning the records for ~~being forwarded with correct~~ furnishing information as to the unit to which Sepoy Sheik Ismail belongs, I am ~~directed to forward herewith a copy of letter~~ the said. state that the Sheik Ismail Sepoy no 4698 of ~~belongs to the~~ 79th Carnatic Infantry.

over

23/12

+ to forward a copy of letter
No. J.C 105 Dy 2-12-1918
receive from the Dist. Magte.
Bangalore, together
with its enclosures in * to be kindly returned
Original &. when no longer required

It will be seen
that the unit
stated in the Dist. Magte's
letter is in accordance
with that stated in
this Office letter No Dis.
376-ets 48-18-4 Dy 9-10-1918
and with that mentioned
in the charge sheet.

I am to request,
that if there be no objection,
the permission already asked
for, for the trial of
the accused by the Durbar
Court may kindly be
accorded.

I have &c

List of enclosure
1 Copy of letter
1 " of Police report
1 file of records.

Copied by

Examined by

for Chief Secy.

WD 86—GPB—60,000—15-11-16

367
21/12

GEN. & REV. SEC.
8 JAN 1919

R. O. 2.—R. P. B.—11-1918.—1,000.

No. 141.
Encls. one file.

8892

Pol. 834
9-1-19

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

48-18

TO

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

9-1-19

Dated Bangalore, 8th January 1919.

SIR,

With reference to the correspondence ending with your letter No. Pol.617, dated the 28th December 1918, regarding the trial of Sheik Ismail, a Sepoy of the 79th Carnatic Infantry, I am directed to state that the Hon'ble the Resident, after consulting the Military Authorities, sees no special reason why the accused should be handed over to the Durbar for the purpose and regrets that he is unable to meet the Durbar's wishes in the matter. The Sepoy will be tried by Court-Martial.

2. The original enclosures to your letter under reference are returned.

I have the honour to be,
Sir,
Your most obedient servant,

First Assistant Resident.

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191 .

Date of issue 18-1-19

Signed by M. [illegible]

Section 45
File No. 48-18
Serial No. 12

No. 4/4609 Records

To

The Dt. Magistrate
Bangalore.

Sir,

With reference to correspondence ending with your letter No. J. C 105 dt. 12-12-1918 re. the trial of Sheik Ismail, a Sepoy of the 79th Carnatic Infantry, I am directed to state that the Hon'ble the Resident intimates that the Sepoy will be tried by Court-Martial.

over.

97/1

The enclosures to your letter under reply are herewith returned

I have etc.

Adjt

For Chief Secy.

SG. —
15/1/19

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 16.

R. O. 2.—R. P. B.—11-1918.—1,000.

Vol. 87 V
16.1.19

URGENT. No. 305.

9345

FROM

MAJOR E. H. S. JAMES,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

48-18

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 16 January 1919.

SIR,

I am directed to refer to my letter No. 141, dated the 8th January 1919, regarding the trial of Sheik Ismail, a Sepoy of the 79th Carnatic Infantry, and, at the instance of the General Officer Commanding, Bangalore Brigade, to request that arrangements may kindly be made at an early date to hand over the Sepoy to the Officer Commanding, 79th Carnatic Infantry, together with the necessary documents.

I have the honour to be,
Sir,
Your most obedient servant,

EHS James

First Assistant Resident.

G. h. S. VI—G/321

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191

Date of issue 21/1/19

Signed by W. G. B. H.

Section C5
File No. 48-18
Serial No. 14

No. G 14954

To

The Dt. Magistrate
Bangalore

Sir,

In continuation of this office letter No G. 14609 of 18-1-19 intimating that Sepoy Sheik Ismail will be tried by Court Martial, I am directed to request you to make arrangements at a very early date for the handing

over.

over of the Depot to the
Officer Commanding, 79th.
Carnatic Infantry together
with the necessary documents records.

D'Henriquez
Capt.
for chief Secy

86
19/1/19.

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

G. k. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section 65
File No. 48-18
Serial No. 15

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

No. Pol. 685

Date of issue 21.1.15

To

The A. A. Resident

Signed by C. S. Balasundaram Iyer

Sir,

With reference to your letter No. 805 of 16-1-1915 re the handing over of Depot Khaki Drill to the Officer Commanding, 29 th Carnatic Infantry, I am directed to state that the Dt. Magistrate has this day been requested

over.

to take necessary action
in the matter early.—
I have etc—
GMA
for chief of Staff

Ex A.I.G

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 15